



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,705	03/19/2001	Darwin Hou	889712-23	9712

26797 7590 09/22/2004

SILICON VALLEY PATENT AGENCY, INC.  
7394 WILDFLOWER WAY  
CUPERTINO, CA 95014

EXAMINER

DESIRE, GREGORY M

ART UNIT PAPER NUMBER

2625

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/812,705

Applicant(s)

HOU, DARWIN

Examiner

Gregory M. Desire

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/5/04.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/5/04 has been entered.

### ***Response to Amendment***

2. Applicant's amendment/arguments with respect to claims 1-7 and 9-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 and 9-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Neukermans et al. (6,064,779).

Art Unit: 2625

Regarding claims 1 and 9 Neukermans discloses,

A portable computing device (which read on fig. 5, block 252, note col. 9 lines 29-31, examiner interprets PDA as portable computing device);

A scanner integrated with portable computing device (fig. 5, block 100 note col. 9 lines 18-19), scanner is integrated with PDA (portable computing device) as a single device with scanning capability (note fig. 5 and 5a, shows integrated scanner with PDA as a single device with scanning capability), the scanner configured to receive a scanning object that is caused to move through the scanner to image thereof (note col. 9 lines 20-29, the scanner receives a document (scanning object) that is caused to move through the scanner to image the data); and

Wherein the portable computing device includes an optical recognition engine that receives the image and produces text therefrom (note col. 9 lines 62-66, lines cite the function of the device activating optical recognition software from the PDA (computing device), inherent feature of OCR software receive image data and produces text).

As to claim 9: The scanner being a linear scanner (note col. 7 lines 57-59, examiner interprets a scanner scanning line by line as performing linear function).

Regarding claim 2 Neukermans discloses,

Wherein the portable computing device includes a display screen for displaying the texts from the optical recognition engine (note fig. 5, block 252, the figure shows PDA with a display screen displaying recognized texts).

Regarding claim 3 Neukermans discloses,

Wherein the optical recognition engine is a software module executing in the portable computing device (note col. 9 lines 20-29). Lines cite character recognition software included in the PDA.

Regarding claim 4 Neukermans discloses,

Wherein the scanner is operatively controllable through the portable computing device (note col. 5 lines 7 lines 35-36, lines cite electronic circuitry communicating and exchanging data with computing device, thus such interaction provides controllable function of computing device)

Regarding claim 5 Neukermans discloses discloses,

Wherein the image resolution of the scanner is re-configurable through the portable device (note col. 10 lines 10-15, speed of the scanner effects the resolution of the scanner, a computer program executed in the computing device determines initial speed and indicates when a document is moving too fast or slow).

Regarding claims 6 and 16 Neukermans discloses,

Wherein the scanner includes a mechanism to move the scanning object when the scanning object is received therein (note col. 7 lines 26-30, scanner includes transport for moving the document (scanning object) when document is detected).

Regarding claim 7 Neukermans discloses,

Wherein the scanner is a contact image sensor including a linear sensor (note col. 5 lines 56-60, photo detector in a one dimension array, examiner interprets as linear sensor), an array of optical lenses (fig. 2 blocks 112, 116, 122 and 123, show mirror plate, aspheric lens, mirror and photo detectors, examiner interprets as an array of optical lenses), and an illumination source (note fig. 2 block 106, light source)

Regarding claim 10 Neukermans discloses,

Wherein the linear scanner further includes an optical encoder to synchronize the image to be generated by the linear scanner (note col. 9 lines 24-29, scanner includes optical encoder).

Regarding claim 11 Neukermans discloses,

Wherein the portable computing device executes one or more application to parse the texts and fill in appropriate fields of one or more records (note col. 3 lines 55-60, PDA classifies and sorts the text examiner interprets parsing as a classifying procedure, filling in of appropriate field of one or more record is an inherent feature of a PDA).

Regarding claim 12 Neukermans discloses,

Wherein the portable computing device is able to transport one or more records to another device via a communication link (note col. 3 lines 63-65, having a modem a PDA would be able to transport scanned document images (records) to another computer via a network link).

Regarding claim 13 Neukermans discloses,

Wherein the communication link is either a wired link or wireless link (note col. 3 lines 63-65, it is inherent for a network link to either wired or wireless).

Regarding claim 14 Neukermans discloses,

Wherein the portable computing device includes telephonic function (note col. 3 lines 63-64, a modem provide telephonic functionality).

Regarding claim 15 Neukermans discloses,

Wherein the area of the scanning document also includes a graphic representation (note col. 7 lines 11-12 and 19-21, scanner scans the entire document to produce pixels to input to a computing device, examiner interprets pixel data to include graphic data).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703)

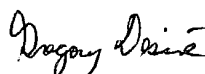
Art Unit: 2625

308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire  
Examiner  
Art Unit 2625



G.D.  
September 15, 2004